

CF 1003 (3)
Single Bench

**IN THE HIGH COURT OF JUDICATURE AT BILASPUR
[CHHATTISGARH]**

W. P. NO. 4508 OF 2004

PETITIONER

Basudev Prasad Gupta s/o Shri Vishwanath Ram Gupta, aged 58 years, Head Master, Middle School, Shardapur (E), Block-Wadruffnagar, District - **Sarguja** (CG).

P.R. No. 4508/04
Presented by O. P. K. L.
dated 29.11.04

VERSUS

RESPONDENTS

1. State of Chhattisgarh through Secretary, Tribal Welfare Dept. Government of Chhattisgarh, D.K.S. Bhawan, **Raipur** (CG).
2. Collector, Tribal Welfare, Ambikapur, District - **Sarguja** (CG).

Copy
29/11/04
CHHATTISGARH

**WRIT PETITION UNDER ARTICLE 226/227 OF THE
CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE
OF CERTIORARI, MANDAMUS, PROHIBITION AND OTHER
SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS,
ORDER OR ORDERS:**

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

WP 4508/04

वामना क्रमांक

सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	8-12-2004 Shri Abhishek, Counsel for the petitioner. Shri V.V.S. Murthy, Dy. Advocate General with Shri Akhil Agrawal, Panel Lawyer for the State. Application for urgent hearing is allowed. Heard. Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been transferred from Middle School, Shardapur (E), Block Wadruffnagar, District Sarguja to Middle School, Lalpur, Block Gorela, District Bilaspur vide order 24-9-2004 (Annexure-P/1). He also submits that the petitioner is a Class-III employee. He also submits that the petitioner is the Secretary of the Chhattisgarh Shikshak Congress for Sarguja District and as per the circulars issued by the State Government the office bearers should not be transferred. He also submits that the petitioner is suffering from serious diseases. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law. Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of	

(31)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

WP 4508/04

यामला क्रमांक

सन् 2000

आदेश पत्रक (पूर्वानुबन्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation. Learned counsel for the petitioner submits that none has been posted in place of the petitioner. He prays that the petitioner may be allowed to continue. It is directed that if the petitioner has not been relieved and other person has not joined in place of the petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting. With the aforesaid observation, this petition stands disposed of. Consequently, M.W.P.No.4850/2004 also stands disposed of. Certified copy as per rules.	Sd/- Fakhruddin Judge